



The State of New Hampshire
Department of Environmental Services

Clark B. Freise, Assistant Commissioner



February 8, 2017

The Honorable James Gray
Chair, Senate Public and Municipal Affairs Committee
Legislative Office Building, Room 102
Concord, NH 03301

RE: SB 201, An Act relative to providing pamphlets containing the asbestos regulations to persons engaging in renovation or demolition of structures

Dear Chair Gray and Members of the Committee:

Thank you for the opportunity to comment on SB 201. This bill would require that municipalities distribute pamphlets describing state asbestos regulations when issuing permits for renovation or demolition of existing structures. The New Hampshire Department of Environmental Services (NHDES) supports this bill.

Existing regulations regarding asbestos require that an inspection be undertaken for asbestos containing materials prior to the commencement of any activity, such as demolition or renovation, which would disturb such materials. The disturbance of asbestos containing materials frees asbestos fibers, the exposure to which has been linked to a significant increase in the incidence of diseases, such as asbestosis, bronchogenic carcinoma, mesothelioma, and other malignancies, as noted by the General Court in RSA 141-E:1.

Many contractors and building owners remain unaware of the inspection requirement. Often, these contractors and owners proceed with work without first inspecting for asbestos, putting their employees, family members, and others at risk for asbestos fiber inhalation. In some instances, contractors and building owners first become aware of the inspection requirement while a job is underway. Costly delays occur because all work must cease while the inspection is arranged and conducted. In addition, failing to inspect and properly abate prior to beginning construction may significantly increase the cost of removal and disposal of the asbestos waste due to co-mingling of waste streams. Providing information about asbestos rules at the point of municipal permitting would serve to reduce these instances of unintentional and costly non-compliance.

NHDES believes that partnering with municipalities and contractors to increase compliance rates through education would compliment NHDES' other compliance and enforcement efforts. This bill would reduce the instances of contractors failing to inspect for asbestos containing materials and, as a consequence, would enhance public health.

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The cost of producing and mailing the brochures contemplated by this bill is minimal and can be absorbed by NHDES' existing asbestos program budget. There would be no added cost to any municipality.

Thank you again for the opportunity to comment on SB 201. Should you have further questions or need additional information, please feel free to contact either Craig Wright, Air Resources Division Director (craig.wright@des.nh.gov, 271-1088) or Evan Mulholland, ARD Compliance Bureau Administrator (evan.mulholland@des.nh.gov, 271-0882).

Sincerely,



Clark Freise
Assistant Commissioner

cc: Sponsors of SB 201: Senators Fuller Clark, Kahn, Lasky, Gannon, Hennessey, Watters, McGilvray;
Representatives Lovejoy, Gourgue